



## CONCLUSION

*N.J.A.C.* 4A:3-3.9(e) states that in classification appeals the appellant shall provide copies of all materials submitted, the determination received from the lower level, statements as to which if portions of the determination are being disputed, and the basis for appeal. Information and/or argument which was not presented at the prior level of appeal shall not be considered.

The definition section of the job specification for Secretarial Assistant 3, Non-Stenographic states:

May be assigned as a secretary to Assistant Division Directors, Bureau Chiefs, or their organizational equivalents; does other related duties.

The definition section of the job specification for Administrative Assistant 2 states:

Assists a Division Director in a State department, institution, or agency by performing and coordinating administrative support services; does other related work as required.

A review of the duties of the appellant's position indicates that they most closely match the job description for Secretarial Assistant 3, Non-Stenographic. The outcome of position classification is not to provide a career path to the incumbents, but rather is to ensure that the position is classified in the most appropriate title available within the state's classification plan. *See In the Matter of Patricia Lightsey* (MSB, decided June 8, 2005), *aff'd on reconsideration* (MSB, decided November 22, 2005). Further, volume of work or how well or efficiently an employee does his or her job, their length of service, and their qualifications have no effect on the classification of a position currently occupied, as *positions*, not employees, are classified. Also, the fact that some of an employee's assigned duties may compare favorably with some examples of work found in a given job specification is not determinative for classification purposes, since, by nature, examples of work are utilized for illustrative purposes only. Moreover, it is not uncommon for an employee to perform some duties which are above or below the level of work which is ordinarily performed.

Further, it is long-standing policy that upon review of a request for position classification, when it is found that the majority of an incumbent's duties and responsibilities are related to the examples of work found in a particular job specification, that title is deemed the appropriate title for the position. In this regard, it is noted that titles are categorized as professional, para-professional or non-professional. *N.J.A.C.* 4A:4-2.5(a)1 states that professional titles require at least a Bachelor's or higher level degree, with or without a clause to substitute

experience. Professional work is predominantly intellectual and character, as opposed to routine mental, manual, mechanical or physical work, and it involves the consistent exercise of judgment. It is basically interpretive, evaluative, analytical and/or creative, requiring knowledge or expertise in a specialized field of knowledge. This is generally acquired by a course of intellectual or technical instruction, study and/or research at an institution of higher learning or acquired through an in-depth grasp of cumulative experience. However, there must be thorough familiarity with all the information, theories and assumptions implicit in the chosen field. Persons in professional work should be able to perceive, evaluate, analyze, formulate hypothesis, and think in the abstract. Positions are considered professional when the work requires *application* of professional knowledge and abilities, as distinguished from either the desirability of such application or the simple possession of professional knowledge and abilities.

The Administrative Assistant series was created to classify positions responsible for performing a variety of duties to relieve the executive officer of administrative details relative to the internal operation of the unit, and coordinating support services to insure the availability and efficient use of resources needed to accomplish the goal of the unit. They are involved in analysis, determination, and implementation of changes and improvements of procedures that involve personnel, records management and movement (computerized and manual), budget and accounting recordkeeping, purchasing of services and materials, physical layouts of facilities, and workflow and operations procedures, *etc.* This is not a super-clerical or paraprofessional title, but belongs in the professional class, and the incumbent acts as principal assistant to the executive on administrative matters. The job definition does not state that performing and coordinating administrative support services includes clerical duties. Positions that provide essential secretarial and clerical support services are not Administrative Assistant positions. *See In the Matter of Maria Marcello and Jacquetta Warren* (MSB, decided February 11, 2004).

The duties performed by the appellant are not commensurate with these duties. A review of the appellant's PCQ indicates that she responds to inquiries, coordinates meeting and agendas, completes travel packages, processes and tracks personnel transactions, maintains a schedule of appointments, composes routine correspondence, processes documents, recommends "administrative improvements," provides support regarding changes in policies and procedures, and is responsible for office maintenance, supplies and mail. The appellant did not dispute the duties listed by Agency Services, but indicated that her duties have expanded. The appellant's duties at the time of the classification review indicates that she is not *primarily* performing the professional duties required of an Administrative Assistant 2. The Administrative Assistant 2 should not routinely be performing secretarial and clerical duties, and the predominance of the appellant's duties are not at a professional level which would warrant a higher title. The appellant

primarily provides essential secretarial and clerical support services consistent with the Secretarial Assistant 3, Non-Stenographic title. Additionally, some of the information given by the appellant's new supervisors represent a change in duties since the classification review. If her duties have changed significantly since she submitted her PCQ in August 2017, the appellant may request another review with Agency Services. An appeal to the Commission involves an analysis of the determination below, not an opportunity to present new duties.

Accordingly, a thorough review of the entire record fails to establish that Marlene Wheeler has presented a sufficient basis to warrant an Administrative Assistant 2 classification of her position.

### **ORDER**

Therefore, the position of Marlene Wheeler is properly classified as Secretarial Assistant 3, Non-Stenographic.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 5<sup>th</sup> DAY OF SEPTEMBER, 2018



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